

REMARKS

On page 2 of the Office Action, claims 145-151, 153, 155 and 157-166 were rejected under 35 U.S.C. 103(a) as being unpatentable over Osborn, III et al., U.S. Patent No. 5,647,862 in view of Phillips et al. WO 93/02235 and Thompson et al., U.S. Patent No. 5,281,208.

Applicants resubmit and emphasize their arguments of September 9, 2002, with respect to the Osborn and Phillips references. Specifically, Applicants direct the Examiner's attention to the meaning of the term "bundle" as defined on page 18, lines 16-34 of the specification. Applicants submit that Osborn, Phillips, and Thompson do not teach or suggest a "bundle" of synthetic fibers having an average inter-fiber capillary width of from 25 to 400 microns. It is shown in Figs. 23A and 23B of Phillips, referenced on page 41, lines 5-15, that the fibers are uniformly spread out as tows over all or part of the width of the absorbant article as opposed to a "bundle."

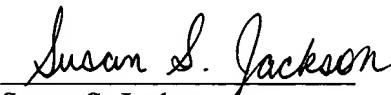
With respect to Thompson, Applicants disagree with the statement in the Office Action that "Thompson et al. teaches that fibers which have good inter capillary flow are separated by distances about the same or less than the width of intra capillary channels (col. 8, lines 55-65)." Applicants submit that Thompson is simply stating a well-known thermodynamic principal that, with other things being equal, small capillaries will draw from larger capillaries. In other words, Thompson is simply stating that to get fluid to move from the top sheet to the back of the pad (z-direction movement), the capillary suction gradient must be present and, with other things being equal, the capillary size gradient (large to small) must be present. However, Applicants contend that Thompson, alone or in combination with the other references, in no way teaches or suggests to one of ordinary skill in the art the use of "bundles" to distribute fluid as in the present invention. Additionally, the combination of cited references does not teach or suggest a

"bundle" of fibers having an average inter-fiber capillary width of 25 to 400 microns.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

  
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Enclosures:

Petition for Two Month Extension of Time